

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

022434 7590 10/04/2004

BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

BEYER WEAVER & THOMAS
P.O. Box 70250
Oakland, CA 94612-0250

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Joyce L. Ferreira (Depositor's name)
(Signature)
December 23, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/729,754

12/04/2000

Eugeni A. Vaisberg

12/20/2004 WASFAWE CYTOP005 00000053 09729754

7528

TITLE OF INVENTION: CLASSIFYING CELLS BASED ON INFORMATION CONTAINED IN CELL IMAGES

01 FC:1501
02 FC:80011400.00 OP
30.00 OP

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
-------------	--------------	-----------	-----------------	------------------	----------

nonprovisional

XXX NO

-\$685 \$1400

\$0

\$685

01/04/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
----------	----------	----------------

TABATABAI, ABOLFAZL

2625

382-129000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached hereon
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 BEYER WEAVER &
THOMAS, LLP
2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Cytokinetics, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

South San Francisco, California USA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0388 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Jeffrey K. Weaver

Date

Dec. 22, 2004

Typed or printed name

Jeffrey K. Weaver

Registration No.

31,314

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VAISBERG et al.

Attorney Docket No.: CYTOP005

Application No.: 09/729,754

Examiner: Tabatabai, Abolfazl

Filed: December 4, 2000

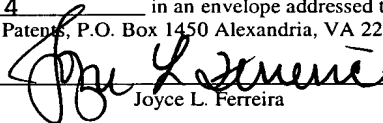
Group: 2625

Title: CLASSIFYING CELLS BASED ON
INFORMATION CONTAINED IN CELL
IMAGES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on 12/23/04 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____


Joyce L. Ferreira

COMMUNICATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants may have improperly filed a Non-Publication Request with this application, as a parent patent application (from which priority was claimed under 35 USC §120) had already been foreign filed. Upon realizing that the filing of the Non-Publication Request may have been improper, Applicants promptly filed a Rescission of the Non-Publication Request on March 12, 2001. The Rescission did not include an explanation of why it was filed. Applicants take this opportunity to point out that the Rescission was filed to address the possibility that the Non-Publication Request submitted with the application as filed was improper due to the fact that a parent application had been previously foreign filed.

Applicants note that the Official Filing Receipt from the USPTO issued on April 27, 2001, after the Rescission was filed, and specifies "No" in the "Non-Publication Request" field. Applicants also note that the subject patent application has not yet published.

Should the PTO have any questions or concerns regarding the above, the Office is invited to contact the undersign at the listed number.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'Jeffrey K. Weaver', with a long horizontal flourish extending to the right.

Jeffrey K. Weaver
Reg. No. 31,314

P.O. Box 70250
Oakland, CA 94612-0250

(510) 843-6200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VAISBERG et al.

Attorney Docket No.: CYTOP005

Application No.: 09/729,754

Examiner: Tabatabai, Abolfazl

Filed: December 4, 2000

Group: 2625

Title: CLASSIFYING CELLS BASED ON
INFORMATION CONTAINED IN CELL
IMAGES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on 12/23/04 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Joyce L. Ferreira

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
(37 CFR §1.27(g)(2))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is no longer desirous of small entity status and that the claim for small entity status is hereby withdrawn. This notice is being filed prior to paying, or at the time of paying, the issue fee or a maintenance fee, whichever fee is first due after the date on which small entity status is no longer appropriate.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

Jeffrey K. Weaver

Registration No. 31,314

P.O. Box 70250
Oakland, CA 94612-0250